

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,
Plaintiffs,**

v.

**BRIAN KEMP, ET AL.,
Defendants.**

Civil Action No. 1:17-CV-2989-AT

**COALITION PLAINTIFFS' MOTION FOR
ADDITIONAL INJUNCTIVE RELIEF**

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiffs Coalition for Good Governance, William Digges III, Laura Digges, Megan Missett, and Ricardo Davis (the "Coalition Plaintiffs") move the Court for the following injunctive relief:

1. Electronic Pollbook Corrections and Security

To order authorized representatives of Defendant Secretary of State and the Coalition Plaintiffs, within five days, to confer and file a plan with the Court that addresses the following topics with respect to the November 6, 2018 election: (a) the procedures to be undertaken by election officials to address errors in the voter registration database that may cause eligible voters to receive the wrong ballot, be assigned to the wrong precinct in the electronic pollbook, or be prevented from casting a regular ballot in their properly assigned precinct; (b) the procedures to be

undertaken by the Secretary's staff and by county election officials and poll workers to provide for use of the paper back-up of the pollbook in the polling places for adjudicating voter eligibility and precinct assignment problems.

2. Paper Ballot Audit

To order authorized representatives of Defendant State Election Board and the Coalition Plaintiffs to confer and file with the Court a proposed plan for a pre-certification audit of the paper ballot tabulations of the November 6, 2018 and December 4, 2018 elections. The plan should be based on the audit principles discussed in Professor Stark's Declaration, (Doc. 296, at 12 ¶¶ 27-31, at 13-14 ¶¶ 34-39, at 14-17 ¶¶ 41-47, and Exhibit G ¶¶ 9-12) and focused on contested candidate races on the ballot.

3. County Election of Paper Ballots

To enjoin the State Defendants, in all or any upcoming elections, from directly or indirectly prohibiting counties from adopting paper ballots at the polling place if the authorized officials in those counties determine that it is feasible to use paper ballots in such counties.

4. DRE Tape Audit

To order the Secretary of State to direct each county superintendent of elections, prior to the certification of the election, to confirm the mathematical

accuracy of the reported summary of individual printed DRE machine vote tallies printed at the polling places, in a manner consistent with the recommendations of Professor Stark as set forth in Paragraph 8 of his Supplemental Declaration.

5. Paper Ballots – December Special Elections and Run-off Elections

To enjoin Defendants from conducting the December 2018 runoff election and December 2018 special elections through the use of DRE voting units and to enjoin Defendants to conduct such elections using paper ballots; provided, however, that Defendants shall make available at each polling place at least one voting system equipped for individuals with disabilities that produces a permanent paper record, *see* 52 U.S.C. § 21081(a)(2)(B) and § 21081(a)(3)(B), which may not be a paperless DRE voting unit unless no other equipment equipped for individuals with disabilities is reasonably available that satisfies the requirement to have a manual audit capacity.

6. Paper Ballots – Elections after January 1, 2019 Elections

To enjoin Defendants from conducting any election after January 1, 2019 through the use of DRE voting units and to enjoin Defendants to conduct such elections using paper ballots; provided, however, that Defendants shall make available at each polling place at least one voting system equipped for individuals with disabilities that produces a permanent paper record, *see* 52 U.S.C.

§ 21081(a)(2)(B) and § 21081(a)(3)(B), which may not be a paperless DRE voting unit unless no other equipment equipped for individuals with disabilities is reasonably available that satisfies the requirement to have a manual audit capacity.

Pursuant to Rule 65(d), the Coalition Plaintiffs have filed with this Motion a proposed order stating the reasons why it should issue, the terms specifically, the acts restrained and required, and the persons to be bound thereby.

Pursuant to Rule 7.1A of the Local Rules of the Northern District of Georgia, and Part III (a) of this Court's Standing Order, the Coalition Plaintiffs have filed herewith a brief citing legal authorities supporting the motion and the facts relied upon, together with supporting declarations and exhibits.

Respectfully submitted this 2nd day of October, 2018.

/s/ Bruce P. Brown

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CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing document has been prepared in accordance with the font type and margin requirements of LR 5.1, using font type of Times New Roman and a point size of 14.

/s/ Bruce P. Brown

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CERTIFICATE OF SERVICE

This is to certify that I have this day caused the foregoing COALITION PLAINTIFFS' MOTION FOR ADDITIONAL INJUNCTIVE RELIEF to be served upon all other parties in this action by via electronic delivery using the PACER-ECF system.

This 2nd day of October, 2018.

/s/ Bruce P. Brown

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